

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6235**

**BILL NUMBER:** HB 1712

**NOTE PREPARED:** Nov 26, 2008

**BILL AMENDED:**

**SUBJECT:** Distribution of Indiana Electoral Votes.

**FIRST AUTHOR:** Rep. Avery

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** ☒ **GENERAL**  
☒ **DEDICATED**  
☐ **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** *Presidential Electoral Votes:* The bill provides that electors for President and Vice President of the United States are chosen so that the candidate for President: (1) receiving the greatest number of votes in a congressional district receives the vote of one Indiana presidential elector; and (2) receiving the greatest number of votes statewide receives the vote of two at-large presidential electors.

The bill requires a presidential elector representing a congressional district and voting for President and Vice President of the United States to vote for the candidates who receive the greatest number of votes in the congressional district. The bill requires an at-large presidential elector voting for President and Vice President of the United States to vote for the candidates who receive the greatest number of votes statewide.

*Penalty Provision:* The bill provides that an elector who fails to vote for the candidates for President and Vice President of the United States for whom the elector is required to vote commits a Class B misdemeanor.

**Effective Date:** July 1, 2009.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** *Penalty Provision:* If additional court cases occur and fines are collected, revenue to both the Common School Fund (from fines) and the state General Fund (from court fees) would increase. The maximum fine for a Class B misdemeanor is \$1,000. However, any additional revenue would likely be small.

**Explanation of Local Expenditures:** *Penalty Provision:* A Class B misdemeanor is punishable by up to 180

days in jail.

**Explanation of Local Revenues:** *Penalty Provision:* If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from court fees. However, any change in revenue would likely be small.

**State Agencies Affected:**

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:**

**Fiscal Analyst:** Chris Baker, 317-232-9851.